

# **JOURNAL OF THE HOUSE**

## **EIGHTY-NINTH SESSION**

---

FOURTEENTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Wednesday, February 5, 2014

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Josh Bauman, followed by the Pledge of Allegiance led by House page Alyson Hauck.

Roll Call: All members present.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Brian G. Gosch, Chair

Which motion prevailed.

**HONORED GUESTS**

Rep. Gosch introduced the 2012-2013 Outstanding School Administrators of South Dakota: Tim Raabe, secondary principal, Lennox; Tim Koehler, middle school principal, Harrisburg; Kristin Hamman, special ed director, Harrisburg; Jeff Ward, curriculum director, Meade; Georgia Sandgren, business manager, Black Hills Special Services Coop; Tanja Pederson, elementary principal, Harrisburg; Al Leber, superintendent, Dakota Valley; Jim Seyer assistant secondary principal, Spearfish.

**REPORTS OF STANDING COMMITTEES**

MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1078, 1089, and 1093 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1139 which was deferred to the 41<sup>st</sup> Legislative Day.

Respectfully submitted,  
David Lust, Chair

Also MR. SPEAKER:

The Committee on Commerce and Energy respectfully reports that it has had under consideration HB 1123 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on Commerce and Energy respectfully reports that it has had under consideration HB 1148 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on Commerce and Energy respectfully reports that it has had under consideration HB 1143 and returns the same with the recommendation that said bill be amended as follows:

1 1143sa

2 On page 2, after line 12 of the printed bill, insert:

3 " Section 2. This Act is effective January 1, 2015."

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on Commerce and Energy respectfully reports that it has had under  
7 consideration HB 1153 which was tabled.

8 Respectfully submitted,  
9 Kristin Conzet, Vice Chair

10 Also MR. SPEAKER:

11 The Committee on Judiciary respectfully reports that it has had under consideration  
12 HB 1171 and returns the same with the recommendation that said bill do pass.

13 Also MR. SPEAKER:

14 The Committee on Judiciary respectfully reports that it has had under consideration  
15 HB 1178 and returns the same with the recommendation that said bill do pass and be placed on  
16 the consent calendar.

17 Also MR. SPEAKER:

18 The Committee on Judiciary respectfully reports that it has had under consideration  
19 HB 1182 which was tabled.

20 Respectfully submitted,  
21 Brian G. Gosch, Chair

22 Also MR. SPEAKER:

23 The Committee on Education respectfully reports that it has had under consideration  
24 HB 1071 and SB 64 and returns the same with the recommendation that said bills do pass.

1 Also MR. SPEAKER:

2 The Committee on Education respectfully reports that it has had under consideration  
3 HB 1167 and returns the same with the recommendation that said bill do pass and be placed on  
4 the consent calendar.

5 Respectfully submitted,  
6 Jacqueline Sly, Chair

7 **MESSAGES FROM THE SENATE**

8 MR. SPEAKER:

9 I have the honor to return herewith HCR 1005 in which the Senate has concurred.

10 Also MR. SPEAKER:

11 I have the honor to return herewith HB 1024 and 1055 which have passed the Senate  
12 without change.

13 Also MR. SPEAKER:

14 I have the honor to transmit herewith SB 16, 17, 20, 23, 40, 41, 42, 43, 61, 75, 80, 87, 89,  
15 93, 100, and 119 and SJR 1 which have passed the Senate and your favorable consideration is  
16 respectfully requested.

17 Respectfully,  
18 Jeannette Schipper, Secretary

19 **MOTIONS AND RESOLUTIONS**

20 Speaker Pro tempore Wink now presiding.

21 HCR 1011: A CONCURRENT RESOLUTION, Endorsing Taiwan's participation as an  
22 observer in the International Civil Aviation Organization (ICAO) and the thirtieth anniversary  
23 of sister state relations with the Province of Taiwan in the Republic of China (Taiwan) and  
24 Taiwan's inclusion in the Trans Pacific Partnership (TPP).

25 Rep. Gosch moved that HCR 1011 as found on page 262 of the House Journal be adopted.

1 The question being on Rep. Gosch's motion that HCR 1011 be adopted.

2 And the roll being called:

3 Yeas 64, Nays 5, Excused 1, Absent 0

4 Yeas:

5 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
6 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek;  
7 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;  
8 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; Mickelson; Munsterman; Novstrup  
9 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
10 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Solum; Stalzer;  
11 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

12 Nays:

13 Greenfield; Kaiser; Killer; May; Soli

14 Excused:

15 Nelson

16 So the motion having received an affirmative vote of a majority of the members-elect, the  
17 Speaker declared the motion carried and HCR 1011 was adopted.

18 Speaker Gosch now presiding.

19 HCR 1012 Introduced by: Representatives Stevens, Bartling, Bolin, Cronin, Gibson,  
20 Gosch, Hunhoff (Bernie), Lust, Parsley, Sly, and Steele and Senators Hunhoff (Jean), Begalka,  
21 Bradford, Buhl O'Donnell, Curd, Frerichs, Heineman (Phyllis), Jensen, Jones (Chuck), Krebs,  
22 Novstrup (Al), Rampelberg, Rhoden, Soholt, Solano, Sutton, Tidemann, and Welke

23 A CONCURRENT RESOLUTION, Recognizing the honor and remember flag as the  
24 designated symbol of South Dakota's concern and commitment to honoring and  
25 remembering all members of the United States Armed Forces who have lost their lives while  
26 serving, or as a result of service, and their families.

27 WHEREAS, the honor and remember flag is a flag with a red and white background and  
28 features an eternal flame inset to a yellow star with a blue border and features the words, "honor  
29 and remember". A folded flag showing blue stars lies below the star; and

30 WHEREAS, the honor and remember flag's red background represents the blood shed by  
31 brave men and women who sacrificed their lives for freedom, and the flag's white field and  
32 border recognizes the purity of that sacrifice. The flag's blue star is a symbol of active service  
33 in military conflict that dates back to World War I. The flag's gold star signifies the ultimate  
34 sacrifice of a warrior in active service who is not returning home and reflects the value of life

given. The folded flag element highlights this nation's final tribute to a fallen service member and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the honor and remember flag is a unifying symbol recognizing this nation's solemn debt to the estimated one million six hundred thousand fallen service members throughout history and the families and communities who mourn their loss:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-Ninth Legislature of the State of South Dakota, the Senate concurring therein, that the honor and remember flag is designated as South Dakota's emblem of service and sacrifice by the men and women of the armed forces who have died while serving, and that the honor and remember flag be displayed to remember that sacrifice; and

BE IT FURTHER RESOLVED, that the Legislature encourages the display of the honor and remember flag on all state and national holidays.

Was read the first time and referred to the Committee on State Affairs.

#### CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Lust moved that the reports of the Standing Committees on

Agriculture and Natural Resources on HB 1185 as found on page 258 of the House Journal; also

Transportation on HB 1159 as found on page 260 of the House Journal; also

Local Government on HB 1091 as found on page 261 of the House Journal be adopted.

Which motion prevailed.

#### FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

The following bill was read on Friday, January 31, and today the Speaker assigned this bill to committee.

HB 1189 was referred to the Committee on State Affairs.

1           The following bills were read on Tuesday, February 4, and today the Speaker assigned  
2 these bills to committee.

3           HB 1240 was referred to the Committee on Health and Human Services.

4           HB 1241 was referred to the Committee on Health and Human Services.

5           **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

6           SB 16: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to purchase  
7 improved real property in Brookings County and to make an appropriation therefor.

8           Was read the first time and referred to the Committee on Appropriations.

9           SB 17: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to purchase  
10 improved real property in the city of Brookings and to make an appropriation therefor.

11          Was read the first time and referred to the Committee on Appropriations.

12          SB 20: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish  
13 buildings on the campus of South Dakota State University and to make an appropriation  
14 therefor.

15          Was read the first time and referred to the Committee on Appropriations.

16          SB 23: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to  
17 deceptive trade practices, including unordered property or services, lodging reservation and  
18 cancellation, violation penalties, attorney's fees, entry rights for landlords and tenants, debit card  
19 theft, and organized retail crime.

20          Was read the first time and referred to the Committee on Judiciary.

21          SB 40: FOR AN ACT ENTITLED, An Act to allow a surviving spouse of a member of the  
22 South Dakota Retirement System to elect a reduced benefit prior to age sixty-five under certain  
23 circumstances.

24          Was read the first time and referred to the Committee on Retirement Laws.

1 SB 41: FOR AN ACT ENTITLED, An Act to revise the definition of penitentiary  
2 correctional staff for purposes of administering the South Dakota Retirement System.

3 Was read the first time and referred to the Committee on Retirement Laws.

4 SB 42: FOR AN ACT ENTITLED, An Act to authorize certain former state cement plant  
5 employees and surviving spouses to elect a lump sum trustee-to-trustee payment in lieu of  
6 monthly benefit payments.

7 Was read the first time and referred to the Committee on Retirement Laws.

8 SB 43: FOR AN ACT ENTITLED, An Act to revise the calculation of disability benefits  
9 and certain benefits payable upon death of members of the South Dakota Retirement System.

10 Was read the first time and referred to the Committee on Retirement Laws.

11 SB 61: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
12 organization, first responder, and organ donor emblem speciality plates for motor vehicles.

13 Was read the first time and referred to the Committee on Transportation.

14 SB 75: FOR AN ACT ENTITLED, An Act to prohibit local governments from enacting,  
15 maintaining, or enforcing regulations on certain dog breeds.

16 Was read the first time and referred to the Committee on Local Government.

17 SB 80: FOR AN ACT ENTITLED, An Act to provide a credit to homebuilt aircraft for  
18 sales and use taxes when paying the aircraft registration tax and to make a reimbursement to the  
19 aeronautics fund for the amount of the credit granted.

20 Was read the first time and referred to the Committee on Taxation.

21 SB 87: FOR AN ACT ENTITLED, An Act to make appropriations from the water and  
22 environment fund, the water pollution control revolving fund subfund, and the drinking water  
23 revolving fund subfund for various water and environmental purposes, and to declare an  
24 emergency.

25 Was read the first time and referred to the Committee on Appropriations.



1 SB 89: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete  
2 provisions regarding the medical department of the National Guard.

3 Was read the first time and referred to the Committee on Health and Human Services.

4 SB 93: FOR AN ACT ENTITLED, An Act to define liquid natural gas, to revise certain  
5 provisions regarding the collection of the motor fuel tax, and to apply motor fuel tax to all fuels  
6 used to propel a motor vehicle.

7 Was read the first time and referred to the Committee on Transportation.

8 SB 100: FOR AN ACT ENTITLED, An Act to provide for the filling of a vacancy if no  
9 person is elected to succeed an elected official in municipalities.

10 Was read the first time and referred to the Committee on Local Government.

11 SB 119: FOR AN ACT ENTITLED, An Act to update and revise the statutes relating to  
12 the South Dakota Board on Geographic Names.

13 Was read the first time and referred to the Committee on Agriculture and Natural  
14 Resources.

15 SJR 1: A JOINT RESOLUTION, Making formal application to Congress to lawfully  
16 recognize the ratification of the 26<sup>th</sup> amendment of the United States Constitution, which  
17 ensures the right to vote to all citizens over the age of eighteen.

18 Was read the first time and referred to the Committee on State Affairs.

19 **SECOND READING OF CONSENT CALENDAR ITEMS**

20 HB 1095: FOR AN ACT ENTITLED, An Act to revise and clarify certain provisions  
21 relating to municipal officers.

22 Was read the second time.

23 The question being "Shall HB 1095 pass?"

24 And the roll being called:

25 Yeas 70, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar  
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May;  
6 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
7 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
9 Wick; Wink; Wismer; Speaker Gosch

10 So the bill having received an affirmative vote of a majority of the members-elect, the  
11 Speaker declared the bill passed and the title was agreed to.

12 HB 1151: FOR AN ACT ENTITLED, An Act to revise certain deadlines and offices  
13 regarding budgetary planning for municipalities.

14 Was read the second time.

15 The question being "Shall HB 1151 pass?"

16 And the roll being called:

17 Yeas 70, Nays 0, Excused 0, Absent 0

18 Yeas:

19 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
20 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar  
21 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
22 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May;  
23 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
24 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
25 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
26 Wick; Wink; Wismer; Speaker Gosch

27 So the bill having received an affirmative vote of a majority of the members-elect, the  
28 Speaker declared the bill passed and the title was agreed to.

## 29 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

30 HB 1068: FOR AN ACT ENTITLED, An Act to revise provisions relating to the use of  
31 dogs in hunting mountain lions.

32 Was read the second time.

1 The question being "Shall HB 1068 pass as amended?"

2 And the roll being called:

3 Yeas 48, Nays 22, Excused 0, Absent 0

4 Yeas:

5 Anderson; Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Duvall; Feickert; Greenfield;  
6 Haggar (Don); Haggar (Jenna); Hajek; Heinemann (Leslie); Hickey; Hoffman; Kaiser; Kopp;  
7 Langer; Latterell; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson  
8 (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Romkema; Rounds; Rozum; Russell;  
9 Schaefer; Schoenfish; Sly; Stalzer; Steele; Stevens; Tulson; Verchio; Werner; Westra; Wick;  
10 Wink; Speaker Gosch

11 Nays:

12 Carson; Cronin; Dryden; Ecklund; Erickson; Feinstein; Gibson; Hawks; Hawley; Heinert;  
13 Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Parsley; Ring; Schrempp; Soli; Solum; Tyler;  
14 Wismer

15 So the bill having received an affirmative vote of a majority of the members-elect, the  
16 Speaker declared the bill passed and the title was agreed to.

17 Speaker Pro tempore Wink now presiding.

18 HB 1119: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to  
19 preliminary hearings for persons charged with class 1 misdemeanors.

20 Was read the second time.

21 The question being "Shall HB 1119 pass?"

22 And the roll being called:

23 Yeas 62, Nays 8, Excused 0, Absent 0

24 Yeas:

25 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
26 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek;  
27 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Killer;  
28 Kirschman; Langer; Lust; Magstadt; Mickelson; Munsterman; Novstrup (David); Olson (Betty);  
29 Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum;  
30 Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;  
31 Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

32 Nays:

33 Greenfield; Johns; Kaiser; Kopp; Latterell; May; Nelson; Russell

1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 Speaker declared the bill passed and the title was agreed to.

3 HB 1099: FOR AN ACT ENTITLED, An Act to revise the membership of the State  
4 Investment Council.

5 Was read the second time.

6 The question being "Shall HB 1099 pass?"

7 And the roll being called:

8 Yeas 64, Nays 6, Excused 0, Absent 0

9 Yeas:

10 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
11 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek;  
12 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;  
13 Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;  
14 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Qualm; Rasmussen;  
15 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
16 Stevens; Tulson; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

17 Nays:

18 Greenfield; Nelson; Peterson; Ring; Russell; Tyler

19 So the bill having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the bill passed and the title was agreed to.

21 Speaker Gosch now presiding.

22 HJR 1002: A JOINT RESOLUTION, Proposing and submitting to the electors at the next  
23 general election an amendment to Article III, section 6 of the Constitution of the State of South  
24 Dakota, relating to legislative term limits.

25 Was read the second time.

26 The question being "Shall HJR 1002 pass?"

27 And the roll being called:

28 Yeas 54, Nays 16, Excused 0, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund;  
3 Erickson; Feickert; Feinstein; Gibson; Hajek; Hawks; Hawley; Heinemann (Leslie); Hickey;  
4 Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Langer; Lust; Magstadt; May;  
5 Mickelson; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Qualm;  
6 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Sly; Soli; Solum; Steele; Stevens;  
7 Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

8 Nays:

9 Campbell; Craig; Greenfield; Haggar (Don); Haggar (Jenna); Heinert; Kaiser; Kopp; Latterell;  
10 Nelson; Peterson; Russell; Schoenfish; Schrempp; Stalzer; Verchio

11 So the resolution having received an affirmative vote of a majority of the members-elect,  
12 the Speaker declared the resolution passed and the title was agreed to.

13 Rep. Lust moved that HB 1104 be placed to follow HB 1110 on today's calendar.

14 Which motion prevailed.

15 HB 1108: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete  
16 provisions regarding employment strikes and lockouts.

17 Was read the second time.

18 The question being "Shall HB 1108 pass?"

19 And the roll being called:

20 Yeas 42, Nays 28, Excused 0, Absent 0

21 Yeas:

22 Anderson; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund; Greenfield;  
23 Haggar (Don); Haggar (Jenna); Hajek; Heinemann (Leslie); Hickey; Hoffman; Johns; Kaiser;  
24 Langer; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David); Olson (Betty);  
25 Qualm; Romkema; Rounds; Rozum; Russell; Schaefer; Sly; Solum; Steele; Stevens; Verchio;  
26 Werner; Westra; Wick; Wink; Speaker Gosch

27 Nays:

28 Bartling; Campbell; Craig; Erickson; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert;  
29 Hunhoff (Bernie); Killer; Kirschman; Kopp; Latterell; Nelson; Otten (Herman); Parsley;  
30 Peterson; Rasmussen; Ring; Schoenfish; Schrempp; Soli; Stalzer; Tulson; Tyler; Wismer

31 So the bill having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the bill passed and the title was agreed to.

1 Rep. Lust moved that HB 1111 be placed to follow HB 1104 on today's calendar.

2 Which motion prevailed.

3 HB 1113: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds  
4 for elderly persons and persons with a disability and to declare an emergency.

5 Was read the second time.

6 The question being "Shall HB 1113 pass?"

7 And the roll being called:

8 Yeas 70, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
11 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar  
12 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
13 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May;  
14 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
15 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
16 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
17 Wick; Wink; Wismer; Speaker Gosch

18 So the bill having received an affirmative vote of a two-thirds majority of the members-  
19 elect, the Speaker declared the bill passed and the title was agreed to.

20 HB 1100: FOR AN ACT ENTITLED, An Act to prohibit the use of certain photo radar  
21 speed detection systems and of certain photo monitoring devices to detect red light violations.

22 Was read the second time.

23 The question being "Shall HB 1100 pass?"

24 And the roll being called:

25 Yeas 69, Nays 1, Excused 0, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar  
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May;  
6 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
7 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Russell; Schaefer; Schoenfish;  
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
9 Wick; Wink; Wismer; Speaker Gosch

10 Nays:

11 Rozum

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1110: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
15 definition of a resident for the purposes of hunting, fishing, and trapping licenses.

16 Was read the second time.

17 The question being "Shall HB 1110 pass?"

18 And the roll being called:

19 Yeas 70, Nays 0, Excused 0, Absent 0

20 Yeas:

21 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
22 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar  
23 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff  
24 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May;  
25 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
26 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
27 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
28 Wick; Wink; Wismer; Speaker Gosch

29 So the bill having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the bill passed and the title was agreed to.

31 Rep. Lust moved that the balance of the calendar including HB 1104 and 1111 and SB 12  
32 be deferred to Thursday, February 6, the 15<sup>th</sup> legislative day.

33 Which motion prevailed.

1        There being no objection, the House reverted to Order of Business No. 5.

## 2 REPORTS OF STANDING COMMITTEES

3 MR. SPEAKER:

4 The Committee on Education respectfully reports that it has had under consideration  
5 HB 1001 which was deferred to the 41<sup>st</sup> Legislative Day.

6 Respectfully submitted,  
7 Jacqueline Sly, Chair

8 Also MR. SPEAKER:

9           The Committee on Legislative Procedure respectfully reports that HB 1016, 1017, 1018,  
10   1026, 1027, and 1037 were delivered to his Excellency, the Governor, for his approval at  
11   9:08 a.m., February 5, 2014.

12 Also MR. SPEAKER:

13       The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
14       and Enrolling has carefully compared HB 1024 and 1055 and finds the same correctly enrolled.

15 Respectfully submitted,  
16 Brian G. Gosch, Chair

17 **SIGNING OF BILLS**

18      The Speaker publicly read the title to

19 HB 1024: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled  
20 substances schedule and to declare an emergency.

21 HB 1055: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
22 references to the Internal Revenue Code.

23 SB 30: FOR AN ACT ENTITLED, An Act to provide for the definition of an advanced  
24 practice registered nurse, to remove certification as a function of the Board of Nursing in issuing  
25 a license to a certified registered nurse anesthetist, and to change the nurses' education loan  
26 assistance program to a scholarship program.



1 SB 56: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding auditing  
2 standards used by the Department of Revenue.

3 SB 57: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the  
4 regulation of the trading stamp business.

5 And signed the same in the presence of the House.

## 6 COMMEMORATIONS

7 HC 1023 Introduced by: Representatives Parsley, Anderson, Bartling, Bolin, Cammack,  
8 Campbell, Craig, Erickson, Feickert, Feinstein, Gibson, Hajek, Heinert, Hoffman, Hunhoff  
9 (Bernie), Johns, Killer, Kirschman, Kopp, Langer, Magstadt, May, Munsterman, Nelson, Olson  
10 (Betty), Peterson, Qualm, Rasmussen, Ring, Rozum, Schaefer, Schoenfish, Schrempp, Sly, Soli,  
11 Solum, Stalzer, Steele, Tyler, Werner, Westra, and Wismer and Senators Jones (Chuck),  
12 Bradford, Brown, Ewing, Frerichs, Holien, Hunhoff (Jean), Jones (Tom), Kirkeby, Lucas,  
13 Monroe, Otten (Ernie), Rampelberg, Rave, Rhoden, Sutton, Tidemann, Tieszen, Vehle, and  
14 Welke

15 A LEGISLATIVE COMMEMORATION, Commending and honoring the 2013 Habitat for  
16 Humanity--South Dakota Habitat Supporters of the Year.

17 WHEREAS, Habitat for Humanity--South Dakota recently celebrated the hard work and  
18 volunteerism of the fourteen local Habitat for Humanity affiliates throughout South Dakota by  
19 recognizing the work of the Habitat Supporters of the Year at the 2013 Fundraiser and  
20 Recognition Banquet; and

21 WHEREAS, Habitat for Humanity throughout South Dakota has now achieved another  
22 milestone of the construction of the four hundred twenty-fifth Habitat home in South Dakota,  
23 which construction results from the generosity of countless volunteers, as well as many sweat  
24 equity hours contributed by the homeowner families; and

25 WHEREAS, it is fitting and proper that the South Dakota Legislature acknowledge the  
26 selfless work of these Habitat Supporters of the Year toward the goal of creating affordable  
27 housing and eliminating poverty housing in South Dakota:

28 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
29 State of South Dakota, that East River Electric; Scott Parsley; Riverfront Broadcasting LLC,  
30 KYNT, KK93 and KDAM Radio; Probuild; Schwan Electric; Rykus Nelson Siding, Windows  
31 and Gutters; Homeland Children's Foundation; Northwestern Energy; Nancy Osterloo;  
32 Kolorworks; David Hyink; Tom Wierenga; and Superior Homes, have achieved the distinction  
33 of Habitat for Humanity Supporters of the Year for 2013 in South Dakota.

1 HC 1024 Introduced by: Representatives Werner and Gibson and Senator White

2 A LEGISLATIVE COMMEMORATION, Commending and honoring Ben Halbkat, of Huron,  
3 South Dakota, for receiving the rank of the Eagle Scout in the Boys Scouts of America.

4 WHEREAS, Ben Halbkat is a member of Boy Scout Troop 151, Huron, South Dakota, and  
5 the Order of the Arrow in the Boy Scouts of America; and

6 WHEREAS, Ben Halbkat completed the Cubby Storage Unit for the Huron Salvation Army  
7 Tigers Den as his Eagle Scout service project; and

8 WHEREAS, Ben Halbkat officially received scouting's highest rank of Eagle Scout from  
9 the Eagle Board of Review on January 7, 2014, and will participate in his Court of Honor  
10 Ceremony on April 27, 2014; and

11 WHEREAS, Ben Halbkat joins his father John Halbkat (1980) and uncles Mark Halbkat  
12 (1983) and Matt Halbkat (1989) as fellow Eagle Scouts in the Boys Scouts of America:

13 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the  
14 State of South Dakota, that Ben Halbkat be commended and honored for his dedication and  
15 commitment in achieving the highest rank of Eagle Scout in the Boys Scouts of America.

16 Rep. Steele moved that the House do now adjourn, which motion prevailed and at  
17 3:38 p.m. the House adjourned.

18 Arlene Kvislen, Chief Clerk